

REMARKS/ARGUMENTS

This application has been carefully considered in light of the Office Action of December 15, 2004. As a result, amendments have been made the Abstract, the Specification and the Claims. No new matter has been added. Claims 1-19 are now pending.

Several objections were made with respect to the specification. It is respectfully submitted that the amendments submitted herewith overcome this grounds of objection.

Claims 1-16 have rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The amendment to the claims submitted with this response is believed to overcome this grounds for rejection. Therefore reconsideration and withdrawal of this rejection is solicited.

Claim 1 has been rejected under 35 U.S.C. 103(a) as being obvious and thus not patentable over United States Patent 4,953,761 to Fishman et al. Claim 1 has also been rejected as being obvious over the reference to United States Patent 6,358,467 to Mordue. For the reasons set forth below, reconsideration of the rejections under 35 U.S.C. 103(a) is respectfully requested and allowance of claims 1-16 solicited.

The reference to Fishman et al has been considered but does not teach the inventive features of the present invention as set forth in the present claims. The reference discloses a stopper

control assembly including a motor and a motion converting drive connection between the motor drive shaft and the stopper control tube 38. However, the motor 50 is fixedly mounted to the motion converting jack screw. There is no suggestion or teaching of providing a control assembly for a stopper wherein the motor is selectively detachable relative to the motion converting members as is the case with the present invention.

With the present invention, the motor is movable from a disengaged position wherein the motor drive shaft is not drivingly engaged with the motion converting members, such as a jack screw, to a position of engagement wherein the motor is drivingly engaged to provide input power to the motion converting members. As set forth in claim 1, the motor is movable between a position wherein power therefrom is connected to drive the motion converting means and a second position wherein the motor is disengaged from the motion converting means.

The reference to Mordue has also been considered but is not believed to teach the inventive features of the present invention as set forth in amended claim 1. The reference is directed to a coupling which may include a bayonet-type structure, that is, one that is accomplished by a first linear motion followed by a rotational motion. There is no teaching of movably mounting a motor relative to a motion converting means

as is taught and claimed in the present application. One of ordinary skill in the art having the reference to Mordue before them would be taught or led to an assembly for controlling the motion of a stopper as is disclosed and claimed.

In view of the forgoing, reconsideration of the obviousness rejection is requested and favourable consideration and allowance of the claims solicited. Should the Examiner have any questions concerning this response or any of the amendments submitted herewith, it would be appreciated if the Examiner would contact the undersigned Attorney-of-Record at the telephone number shown below for purposes of further expediting the prosecution of this application.

Respectfully submitted,
DOWELL & DOWELL, P.C.

By : 

Ralph A. Dowell, Reg. No. 26,868

Dated: 15 March 2005

DOWELL & DOWELL, P.C.
Suite 406, 2111 Eisenhower Avenue
Alexandria, VA 22314
Telephone - 703 415 2555
Facsimile - 703 415 2559
E-mail - dowell@dowellpc.com